



remy green <remy@femmelaw.com>

RE: Re: [Hernandez Team] RE: 20-cv-8924 - Unredacted Version of Dkt. No. 586 (with Confidential Attachments)

Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>

Wed, Jun 22, 2022 at 12:48 PM

To: "Weng, Jenny (Law)" <jweng@law.nyc.gov>, remy green <remy@femmelaw.com>

Cc: AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>, Gray Legal Team-External <GrayLegalTeam@dwf.com>, Hernandez Team <hernandez@femmelaw.com>, Payne Litigation Team <PayneLitigationTeam@nyclu.org>, Sierra Team <SierraTeam@moskovitzlaw.com>, Sow-Legal <Sow-Legal@blhny.com>, Wood <wood@klflaw.com>, "Thomas A. Kissane" <TKissane@schlamstone.com>, Robert Smith <robert.smith@rsmithlaw.com>, "Nelson, Genevieve (Law)" <gnelson@law.nyc.gov>, "Riordan, Shannon (LAW)" <sriordan@law.nyc.gov>, "Ibrahim, Nadine (LAW)" <nibrahim@law.nyc.gov>, "Robinson, Amy (LAW)" <arobinso@law.nyc.gov>, "Braun, Daniel (Law)" <dbraun@law.nyc.gov>, "Hamill, Bridget (LAW)" <brhamill@law.nyc.gov>, "Carrasquillo, Glenda" <gcarrasq@law.nyc.gov>

Remy,

In light of defendants' agreement in their letter filed with the Court on 6/15/22 (Dkt #605) to remove any improper "NR" redactions and re-produce all affected documents without these redactions, defendants also agree to re-produce the documents referenced at p. 3 of that same letter without NR redactions (which defendants have already re-reviewed), per plaintiffs' instant request. To be clear, these are the 3 documents identified by Bates No. in plaintiffs' letter filed on 6/7/22: DEF_E_PD_00057868-879; DEF_E_PD_0010873; and DEF_E_PD_00081095.

Defendants will re-produce these 3 documents as expeditiously as possible. That said, upon consultation with our Electronic Discovery Division, we understand it may not be possible to provide plaintiffs with official production copies within 24 hours, as the documents require the manual removal of the NR redactions. Once review is completed and redactions modified, then we can submit the production request to our vendor. Our team will do our best to provide plaintiffs with at least unofficial pdf copies of the 3 documents tomorrow, Thursday, so plaintiffs may at least view the previously NR-redacted content of the documents.

Best,

Stephanie

From: Weng, Jenny (Law) <jweng@law.nyc.gov>

Sent: Wednesday, June 22, 2022 10:25 AM

To: 'remy green' <remy@femmelaw.com>

Cc: Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwf.com>; Hernandez Team <hernandez@femmelaw.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Sierra Team <SierraTeam@moskovitzlaw.com>; Sow-Legal <Sow-Legal@blhny.com>; Wood <wood@klflaw.com>; Thomas A. Kissane <TKissane@schlamstone.com>; Robert Smith <robert.smith@rsmithlaw.com>; Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Riordan, Shannon (LAW) <sriordan@law.nyc.gov>; Ibrahim, Nadine (LAW) <nibrahim@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Braun, Daniel (Law) <dbraun@law.nyc.gov>; Hamill, Bridget (LAW) <brhamill@law.nyc.gov>; Carrasquillo, Glenda <gcarrasq@law.nyc.gov>

Subject: RE: [EXTERNAL] Re: [Hernandez Team] RE: 20-cv-8924 - Unredacted Version of Dkt. No. 586 (with Confidential Attachments)

Remy,

We will respond this morning.

From: remy green <remy@femmelaw.com>
Sent: Tuesday, June 21, 2022 4:07 PM
To: Weng, Jenny (Law) <jweng@law.nyc.gov>
Cc: Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Hernandez Team <hernandez@femmelaw.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Sierra Team <SierraTeam@moskovitzlaw.com>; Sow-Legal <Sow-Legal@blhny.com>; Wood <wood@klflaw.com>; Thomas A. Kissane <TKissane@schlamstone.com>; Robert Smith <robert.smith@rsmithlaw.com>; Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Riordan, Shannon (LAW) <sriordan@law.nyc.gov>; Ibrahim, Nadine (LAW) <nibrahim@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Braun, Daniel (Law) <dbraun@law.nyc.gov>; Hamill, Bridget (LAW) <brhamill@law.nyc.gov>; Carrasquillo, Glenda <gcarrasq@law.nyc.gov>
Subject: Re: [EXTERNAL] Re: [Hernandez Team] RE: 20-cv-8924 - Unredacted Version of Dkt. No. 586 (with Confidential Attachments)

Hi Jenny,

As long as the City has no objection to needing to oppose by midnight tomorrow, and to the documents being produced on Thursday if the motion is granted, that's fine. Otherwise, I'm not sure how you think this will be enough time.

Yours,

Remy.

J. Remy Green

Partner

Cohen&Green P.L.L.C.	[#FemmeLaw](#)
remy@femmelaw.com (e)	(929) 888.9560 (direct)
(929) 888.9480 (p)	(929) 888.9457 (f)
[honorific / pronouns: Mx. / they, their, them](#)	



On Tue, Jun 21, 2022 at 4:06 PM Weng, Jenny (Law) <jweng@law.nyc.gov> wrote:

Remy,

As you know, Stephanie was lead on this. We will provide our position by tomorrow, Wednesday, which should be enough time for you to include any issue you want to raise to the Court by Friday.

From: remy green <remy@femmelaw.com>

Sent: Tuesday, June 21, 2022 4:01 PM

To: Weng, Jenny (Law) <jweng@law.nyc.gov>

Cc: Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>; AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Hernandez Team <hernandez@femmelaw.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Sierra Team <SierraTeam@moskovitzlaw.com>; Sow-Legal <Sow-Legal@blhny.com>; Wood <wood@klflaw.com>; Thomas A. Kissane <TKissane@schlamstone.com>; Robert Smith <robert.smith@rsmithlaw.com>; Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Riordan, Shannon (LAW) <sriordan@law.nyc.gov>; Ibrahim, Nadine (LAW) <nibrahim@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Braun, Daniel (Law) <dbraun@law.nyc.gov>; Hamill, Bridget (LAW) <brhamill@law.nyc.gov>; Carrasquillo, Glenda <gcarrasq@law.nyc.gov>

Subject: Re: [EXTERNAL] Re: [Hernandez Team] RE: 20-cv-8924 - Unredacted Version of Dkt. No. 586 (with Confidential Attachments)

Hi Jenny,

We need a position from Defendants as soon as possible, given the timeframe. Assuming there are no privilege claims (correct me if I'm wrong on that), what's the objection to just sharing these as attorneys'/court eyes only, and subject to clawback?

As I'm sure you understand, we need a position on this with enough time to make an application and address any issues in our Friday reply if

Defendants do not agree to produce documents. Stephanie was not the only one on the meet and confer about this, so my understanding is that other members of the team are up to speed. If we can't get a position by the end of the day, we need your position on expediting.

Yours,

Remy.

J. Remy Green

Partner

Cohen&Green P.L.L.C.	[#FemmeLaw](#)
remy@femmelaw.com (e)	(929) 888.9560 (direct)
(929) 888.9480 (p)	(929) 888.9457 (f)
[honorific / pronouns: Mx. / they, their, them](#)	
1639 Centre St., Ste. 216	Ridgewood (Queens), NY 11385

[Redacted Signature]

On Tue, Jun 21, 2022 at 3:55 PM Weng, Jenny (Law) <jweng@law.nyc.gov> wrote:

Remy,

As we have said in an earlier email, Stephanie is out sick. We are hoping that she will be back tomorrow and can respond to this. Thanks.

From: remy green <remy@femmelaw.com>

Sent: Tuesday, June 21, 2022 3:00 PM

To: Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>

Cc: AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Hernandez Team <hernandez@femmelaw.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Sierra Team <SierraTeam@moskovitzlaw.com>; Sow-Legal <Sow-Legal@blhny.com>; Wood <wood@klflaw.com>; Thomas A. Kissane <TKissane@schlamstone.com>; Robert Smith <robert.smith@rsmithlaw.com>; Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Riordan, Shannon (LAW) <sriordan@law.nyc.gov>; Ibrahim, Nadine (LAW) <nibrahim@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Braun, Daniel (Law) <dbraun@law.nyc.gov>; Hamill, Bridget (LAW) <brhamill@law.nyc.gov>; Carrasquillo, Glenda <gcarrasq@law.nyc.gov>; Weng, Jenny (Law) <jweng@law.nyc.gov>

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Hi Stephanie,

In light of what Judge Gorenstein has said here, we would ask Defendants to produce unredacted copies of the documents identified in our moving papers no later than close of business tomorrow. If Defendants are not willing to do so, please consider this a request to meet and confer immediately -- and we are at an impasse if we cannot schedule that meet and confer in the next 24 hours.

This is also a request for Defendants' position on expediting a motion to compel those documents, such that the motion will be fully briefed by midnight tomorrow.

Yours,

Remy.

J. Remy Green

Partner

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remy@femmelaw.com (e)	(929) 888.9560 (direct)
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[honorific / pronouns: Mx. / they, their, them](#)	
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On Tue, Jun 21, 2022 at 2:29 PM Gorenstein NYSD Chambers <GorensteinNYSDChambers@nysd.uscourts.gov> wrote:

Good Afternoon Mx. Green,

June 24, 2022 for a reply is acceptable.

Judge Gorenstein does not take any applications by email. If you have a further application, please file it on ECF (after discussing with the other side).

--Chambers of the Hon. Gabriel W. Gorenstein

From: remy green <remy@femmelaw.com>

Sent: Friday, June 17, 2022 5:47 PM

To: Gorenstein NYSD Chambers <GorensteinNYSDChambers@nysd.uscourts.gov>

Cc: AG-NYPDLitigation <AG.NYPDLitigation@ag.ny.gov>; Gray Legal Team-External <GrayLegalTeam@dwt.com>; Hernandez Team <hernandez@femmelaw.com>; Payne Litigation Team <PayneLitigationTeam@nyclu.org>; Sierra Team <SierraTeam@moskovitzlaw.com>; Sow-Legal <Sow-Legal@blhny.com>; Wood <wood@klflaw.com>; Thomas A. Kissane <TKissane@schlamstone.com>; Robert Smith <robert.smith@rsmithlaw.com>; Nelson, Genevieve (Law) <gnelson@law.nyc.gov>; Riordan, Shannon (LAW) <sriordan@law.nyc.gov>; Ibrahim, Nadine (LAW) <nibrahim@law.nyc.gov>; Breslow, Stephanie (Law) <sbreslow@law.nyc.gov>; Robinson, Amy (LAW) <arobinso@law.nyc.gov>; Braun, Daniel (Law) <dbraun@law.nyc.gov>; Hamill, Bridget (LAW) <brhamill@law.nyc.gov>; Carrasquillo, Glenda <gcarrasq@law.nyc.gov>; Weng, Jenny (Law) <jweng@law.nyc.gov>

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CAUTION - EXTERNAL:

Dear Judge Gorenstein's Chambers,

We would like to file a reply. If we may, we'd like until Friday.

It would also be helpful, if the Court is so inclined, if the Court directed Defendants directed to serve copies of the redacted and withheld material Defendants say they have "re-reviewed ... and can confirm ... was non-responsive" (Dkt. No. 605 at 3). It does not appear Defendants are claiming any of those materials are privileged, so a measure like pure *in camera* review appears unnecessary. And it would be very helpful to us in replying -- and we assume, helpful to the Court in evaluating the issue -- to be able to see what standard Defendants are applying for "responsiveness" here.

Respectfully submitted,

Remy Green.

J. Remy Green

Partner

Cohen&Green P.L.L.C.	[#FemmeLaw](#)
remy@femmelaw.com (e)	(929) 888.9560 (direct)
(929) 888.9480 (p)	(929) 888.9457 (f)
[honorific / pronouns: Mx. / they, their, them](#)	
1639 Centre St., Ste. 216	Ridgewood (Queens), NY 11385

| |

On Fri, Jun 17, 2022 at 4:19 PM Gorenstein NYSD Chambers <GorensteinNYSDChambers@nysd.uscourts.gov> wrote:

Per Judge Gorenstein, plaintiffs may file a reply letter to Docket # 605 if they wish.

If you plan to do so, please let us know the date.

Thank you.

--Chambers of Judge Gorenstein

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